

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

GEORGE A. JACKSON, et al.,

Plaintiffs,

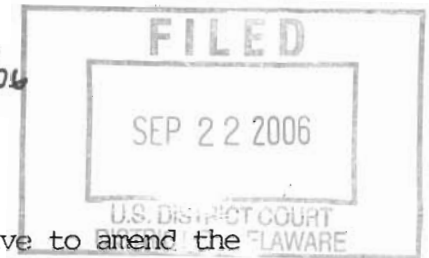
v.

STANLEY TAYLOR, et al.,

Defendants.

Civil Action No. 05-823 (KAJ)

Scanned: 02 9/22/06



LEAVE TO AMEND

COMES NOW THE Plaintiffs, moves the Court for leave to amend the original complaint, and state as follow:

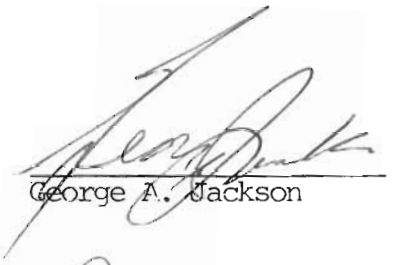
1. Plaintiffs filed pursuant to 42 U.S.C § 1983 against Stanley Taylor, Joyce Talley, Tony Figario, Carl Anson, Delaware Department of Corrections.(D.I.2)
2. On September 7, 2006, George A. Jackson obtained one (1) manila envelope, and two (2) white legal evelopes from the prison law libray at SCI prison to forward eleven (11) Amended Complaints along with eleven (11) USM 285 forms for ten (10) new defendants and one (1) for the Attorney General.
3. According to the law library rules at SCI, inmates are not allow to leave the law library with legal mail to be mailed out. Therefore, the legal mailed must be mailed out through the law library.
4. I, George A. Jackson, hereby certify, that I hand over the above-reference legal mail to the law library staff on September 7, 2006 to be mailed out.
5. According to the SCI Mailroom personnel, plaintiffs legal documents were pick up on September 8, 2006, and mailed on September 11, 2006. (D.I.115)
6. On September 8, 2006, approximately 1:00 pm. plaintiff recieve Answer to Complaint with Jury Demand by Stanley Taylor, Joyce Talley, and Carl Anson through counsel Eileen Kelly, Deputy Attorney General. (D.I.113)
7. Under Fed.Civ. Proc. Rule 15,"a party may amend the party's pleading once as a matter of course at any time before a responsive pleading is served.."

8. I, George A. Jackson, handed the legal documents to the representatives of the Defendants to be mailed out on 9/7/06. But for some unknown reason, no fault to the Plaintiffs, the Court did not recieved the legal documents until September 13, 2006. (D.I. 114)

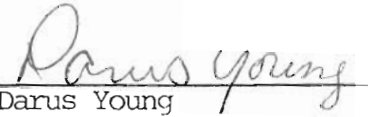
9. The Amended Complaint contained 10 defendants that knew or should have known that, but for a mistake concerning the identity of the proper party, the original complaint would have include the amended defendants.

10. The Amended Complaint is clearly indicated in reference to the amended Defendants under the "AMENDED" section of the complaint.

Wherefore, Plaintiffs request that the Amended Complaint as a matter of course be allowed to go forward, or in alternative, grant Leave to Amend .



George A. Jackson



Darus Young



Charles Blizzard

Dated: September 17, 2006

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

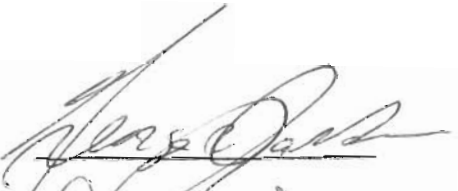
GEORGE A. JACKSON, et al., :
Plaintiffs, :
v. : Civil Action No. 05-823 (KAJ)
STANLEY TAYLOR, et al., :
Defendants. :

CERTIFICATE OF SERVICE

I, George A. Jackson, hereby certify, that on September 17, 2006,
the attached motion for LEAVE TO AMEND was placed in the Sussex Correctional
Institution U.S. mail box, to be forward to :

Eileen Kelly, I.D. #2884
Deputy Attorney General
Carvel State Office Building
820 North French Street, 6th Floor
Wilmington, DE 19801

Attorney for Defendants


George A. Jackson
Darius Young
Charles T. Bleggand

I/M: George A. Jackson MDG: merit
SUSSEX CORRECTIONAL INSTITUTION
P.O. BOX 500
GEORGETOWN, DELAWARE 19947

1156 U.S. POSTAGE PB2230370
7986 \$00.390 SEP 21 06
8649 FROM ZIP CODE 19947

U.S. District Court
Lock Box 18
844 N. King Street
Wilmington, DE
19801

U.S.M.S.
TRAVEL

198040318-33 0022